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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/061,454	02/04/2002	Hartmut Mahnert	449122022800	8097

7590 02/11/2004  
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EXAMINER
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LEJA, RONALD W

ART UNIT	PAPER NUMBER
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2836

DATE MAILED: 02/11/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application N .

10/061,454

Applicant(s)

MAHNERT ET AL.

Examiner

Ronald W Leja

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 10 September 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-13 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1,9 and 10 is/are allowed.
- 6) ☒ Claim(s) 2 and 3 is/are rejected.
- 7) ☒ Claim(s) 4-8 and 11-13 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 04 February 2002 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>5/28/02 &amp; 9/10/02</u> . | 6) <input type="checkbox"/> Other: _____  |

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1. The Abstract of the Disclosure is objected to because it is not in "single paragraph form". Correction is required. See MPEP § 608.01(b).
2. There does not appear to be sufficient use of Headings within the Specification, such as, "Brief Description of the Figures".

The following guidelines illustrate the preferred layout for the specification of a utility application. These guidelines are suggested for the applicant's use.

### **Arrangement of the Specification**

As provided in 37 CFR 1.77(b), the specification of a utility application should include the following sections in order. Each of the lettered items should appear in upper case, without underlining or bold type, as a section heading. If no text follows the section heading, the phrase "Not Applicable" should follow the section heading:

- (a) TITLE OF THE INVENTION.
- (b) CROSS-REFERENCE TO RELATED APPLICATIONS.
- (c) STATEMENT REGARDING FEDERALLY SPONSORED RESEARCH OR DEVELOPMENT.
- (d) INCORPORATION-BY-REFERENCE OF MATERIAL SUBMITTED ON A COMPACT DISC (See 37 CFR 1.52(e)(5) and MPEP 608.05. Computer program listings (37 CFR 1.96(c)), "Sequence Listings" (37 CFR 1.821(c)), and tables having more than 50 pages of text are permitted to be submitted on compact discs.) or REFERENCE TO A "MICROFICHE APPENDIX" (See MPEP § 608.05(a). "Microfiche Appendices" were accepted by the Office until March 1, 2001.)
- (e) BACKGROUND OF THE INVENTION.
  - (1) Field of the Invention.
  - (2) Description of Related Art including information disclosed under 37 CFR 1.97 and 1.98.
- (f) BRIEF SUMMARY OF THE INVENTION.
- (g) BRIEF DESCRIPTION OF THE SEVERAL VIEWS OF THE DRAWING(S).
- (h) DETAILED DESCRIPTION OF THE INVENTION.
- (i) CLAIM OR CLAIMS (commencing on a separate sheet).
- (j) ABSTRACT OF THE DISCLOSURE (commencing on a separate sheet).
- (k) SEQUENCE LISTING (See MPEP § 2424 and 37 CFR 1.821-1.825. A "Sequence Listing" is required on paper if the application discloses a nucleotide or amino acid sequence as defined in 37 CFR 1.821(a) and if the required "Sequence Listing" is not submitted as an electronic document on compact disc).

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3. The Disclosure is objected to because of the following informalities: On Page 6, lines 34 and 35, the Specification appears to rely upon Claims, rather than being a guide for the claim language. On Page 17, it is suggested that "Patent claims" be replaced with i.e. "What we claim is:" or to that effect.

Appropriate correction is required.

4. Claims 4-8 and 11-13 are objected to under 37 CFR 1.75(c) as being in improper form because a multiple dependent claim cannot refer back to another multiple dependent claim. See MPEP § 608.01(n). Accordingly, the claims have not been further treated on the merits.

5. The Drawings are objected to because of the use of "German" labeling. Furthermore, labels, such as, "UG1", "KG6", "VZ1", "MV", "G1g", "K1", "G2" are not considered to be very informative. Labels, such as, "comparator" and "differentiator" are preferred. A proposed Drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the Drawings will not be held in abeyance.

6. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

7. Claims 2 and 3 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out

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and distinctly claim the subject matter which applicant regards as the invention.

The use of "and, if appropriate, the trigger signal is generated" is confusing in that it is not known "when" it becomes appropriate, if ever, and thus, it is not known if a trigger signal is generated.

\*\*\* It should be noted that the claims objected to above for being in improper dependent form have not been treated further on their merits, and as such, it is advised that Claims 4-8 and 11-13 be thoroughly checked-over for 112, 2<sup>nd</sup> paragraph issues, prior to response to this Office Action. \*\*\*

8. Claims 1, 9 and 10 are allowed.

9. Claims 2 and 3 would be allowable if rewritten or amended to overcome the rejection(s) under 35 U.S.C. 112, second paragraph, set forth in this Office action.

10. Claims 4-8 and 11-13 would become allowable by nature of their dependency from Independent Claims 1 and 9 once the objection under 37 CFR 1.75(c) for being in improper form has been overcome and there are no 112, 2<sup>nd</sup> paragraph issues, in the process.

11. The Prior Art made of record and not relied upon is considered pertinent to applicant's disclosure. Kulidjian et al. (6,483,680); Forford (4,237,512); Gies et al. (6,625,551); Kasztenny et al. (6,442,010).

12. The following is a Statement of Reasons for the Indication of Allowable Subject Matter: The Prior Art, supra, is drawn to the use of differential current in protection and recognize some of the

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problems associated with current transformer saturation. Schiel et al. (5,808,844), teach a differential current protection arrangement which involves the use of stabilization currents as a means to avoid some of the problems associated with current transformer saturation. However, none of the Prior Art, taken alone or together make obvious the claimed combinations found within Independent Claims 1 and 9, which are drawn to differential protection arrangements including differential and stabilization current values based upon instantaneous values of currents and quotient value limits are also utilized within the arrangements.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ronald W Leja whose telephone number is (571)272-2053. The examiner can normally be reached on Monday thru Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Brian Sircus can be reached on (571)272-2800. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

*Ronald W. Leja*  
Ronald W Leja  
Primary Examiner  
Art Unit 2836

*2/8/04*

rwl  
February 8, 2004